

LOWER PAXTON TOWNSHIP
AUTHORITY MEETING

Minutes of Township Authority Meeting held June 27, 2006

A special business meeting of the Lower Paxton Township Authority was called to order at 7:16 p.m. by Vice-Chairman Norman K. A. Hoffer, on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Members present in addition to Mr. Hoffer were: William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; William Weaver, Sewer Authority Director; and Val Karabcievschy, Township Resident.

Pledge of Allegiance

Mr. Blain led those present in the recitation of the Pledge of Allegiance.

Public Comment

There was no public comment.

Board Members' Comments

No comment was presented from Board members.

New Business

Motion to approve the agreement of sale for purchase of the 14.88 acre lot in Commerce Park

Mr. Weaver explained that he distributed a copy of the standard agreement of sale to the Authority Board members for the 14.88-acre lot located in Commerce Park. He noted that the Board directed Mr. Wolfe to negotiate a sale price for this tract of land that will be used for future uses of the Authority to include a possible storage tank program for the Paxton Creek mini-basin. He noted that Mr. Wolfe, and he talked to the real estate agent, Julie Trogner, of RSR Realtors, who represented Mr. Russell Klick, the owner of the property.

Mr. Weaver explained that the Township's first offer was \$650,000 which was countered by a split of the difference, at which time the Township offered to split the difference again, resulting in a final asking price of \$667,500. He noted that the basis of the agreement was that there would be no contingencies except, on page nine of the agreement of sale, at the top of the page, there was a special clause added to state that the title search must be satisfactory to the buyer at his sole discretion. Mr. Weaver noted that Ms. Trogner added a second exception, that the seller would be exercising a 1031 tax exchange. Mr. Stine explain that the seller would use the sale of this property to offset against the sale of another property to save on capital gains earnings.

Mr. Crissman noted that Mr. Wolfe and Mr. Weaver did a great job in negotiating the deal for this property.

Mr. Crissman made a motion to approve the agreement of sale for the purchase of 14.88-acre lot in Commerce Park in the amount of \$667,500.00. Mr. Blain seconded the motion.

Mr. Hoffer noted that the 1031 special clause was added at the last second, and he suggested that language should be added to the clause to state that any additional costs concerning the 1031 tax exchange that he would incur as a result of making this accommodation should be born by the seller. He noted that this is an enormous savings for the seller, and the buyer should not have to incur any costs for agreeing to this. He noted that it would be good to protect the Authority with this language.

Mr. Crissman made a motion to add this language to his previous motion. Mr. Blain seconded the motion. Mr. Hoffer called for a vote, and a unanimous vote followed.

Second Consent Decree Annual Report

Mr. Weaver noted that he received the Second Consent Decree Annual Report prior to the start of the meeting. He noted that this report is due June 30, 2006, and he wanted to

distribute the report to the Authority Board members for their review. He noted that CET, Engineering has worked diligently to complete the report to meet the deadline, and explained that there are no major changes from the prior year report. He noted that he has provided updates regarding the Second Consent Decree at the previous Authority meetings. He stated that Beaver Creek is unchanged, still waiting approval for the permits. He explained that the South Hanover Township Zoning Board has schedule a hearing for July 24, 2006. He noted that the Spring Creek work has been completed, and the Paxton Creek work is in need of a decision for the 2007-year work.

Mr. Weaver noted that he would need comments from the Board prior to the June 30, 2006 deadline for submittal. Mr. Crissman noted that Mr. Weaver did not have an opportunity to review the report, and he suggested that if he finds any concerns that the Authority Board needs to be made aware of, to do so prior to the deadline.

Mr. Hornung questioned if Mr. Weaver found a new well. Mr. Weaver answered that staff is recommending to continue to use the same well. He noted that the U. S. Geological Services pulled their equipment since the owner of the pond continues to pump the pond, which takes the level to nothing, and make the well data useless. He noted that there is a lot of good data that is available when the owner is not pumping the well down, and that is the only well that directly correlates to the I&I. He noted that CET, Engineering needs the data. Mr. Weaver noted that staff will be meeting with the property owner to establish an agreement with the Authority to continue to use the well.

Engineer's Report

No report presented.

Solicitor's Report

No report presented.

Adjournment

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Crissman seconded the motion, and the meeting adjourned at 7:26 p.m.

Respectfully submitted,

Maureen Heberle

Approved by:

Gary A. Crissman
Authority Secretary